

Application No. 10/727,516  
Reply to Office Action of June 7, 2005

evidence of record to show that the *claimed product* could be used in a materially different process as the Office has alleged. Accordingly, Applicants submit that the Restriction Requirement is unsustainable and should be withdrawn.

Additionally, Applicants traverse on the grounds that the Office has not shown that a burden exists in searching the entire application. Rather, the Office has merely stated an unsupported conclusion under MPEP §806.05(f) and used the unsupported conclusion as justification to further conclude that a search of all the claims would be burdensome.

MPEP in §803 states as follows:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

Applicants submit this application is now in condition for examination on the merits and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



---

Daniel J. Pereira, Ph.D.  
Registration No. 45,518

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

CJA:aps